

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 394, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Beginning on page 2, line 35, delete the effective date
- 2 "[EFFECTIVE JULY 1, 2002]" in SECTIONS 5 through 8 and insert
- 3 the effective date "[EFFECTIVE UPON PASSAGE]".
- 4 Page 3, delete lines 7 through 23, begin a new paragraph and insert:
- 5 "SECTION 7. IC 36-1-12.5-10 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The governing
- 7 body shall:
- 8 **(1) provide to the department of commerce not more than**
- 9 **sixty (60) days after the date of execution of the guaranteed**
- 10 **energy savings contract:**
- 11 **(A) a copy of the executed guaranteed energy savings**
- 12 **contract;**
- 13 **(B) the energy consumption costs before the date of**
- 14 **execution of the guaranteed energy savings contract; and**
- 15 **(C) the documentation using industry engineering**
- 16 **standards for:**
- 17 **(i) stipulated savings; and**
- 18 **(ii) related capital expenditures; and**
- 19 **(2) annually report to the department of commerce, in accordance**
- 20 with procedures established by the department of commerce, the
- 21 savings resulting in the previous year from the guaranteed energy

1 savings contract or utility energy efficiency program."
 2 Page 4, delete lines 10 through 17, begin a new line block indented
 3 and insert:
 4 **"(1) the total value of the improvement does not exceed fifteen**
 5 **percent (15%) of the total value of the contract; and**
 6 **(2) either:**
 7 **(A) the improvement is necessary to conform to a law, rule,**
 8 **or ordinance; or**
 9 **(B) an analysis within the contract demonstrates that:**
 10 **(i) there is an economic advantage to the political**
 11 **subdivision in implementing an improvement as part of**
 12 **the contract; and**
 13 **(ii) the savings justification for the improvement is**
 14 **documented by industry engineering standards."**
 (Reference is to SB 394 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Merritt, Chairperson